

## REMARKS

Applicants have carefully reviewed the arguments presented in the Office Action and respectfully request entry of the amendment and reconsideration of the claims in view of the remarks presented below.

Claims 12, 18, and 22 have been canceled and claims 1, 2, 4-6, 14, 15, and 21 have been amended. Thus, claims 1-11, 13-17, 19-21 and 23-24 are pending in the application.

Claims 1, 4 and 5 were rejected under 35 U.S.C. 112, 1<sup>st</sup> paragraph as failing to comply with the enablement requirement. Applicant believes that these claims as amended overcome these rejections and thus are now in patentable form.

Claims 1-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over US PG-Pub 2002/0174045 to Arena et al. in view of US PG-Pub 2002/0013711 to Ahuja et al. Applicant respectfully traverses these rejections.

Claim 1 was amended to recite the steps of selecting a mode by which a user is to be notified that the user's investment in individual ones of different asset classes is outside of the limits established by the user for these asset classes and identifying conditions when the selected mode will be changed to escalate the notification to the user. The Examiner stated that both of these steps were not disclosed by Arena. Moreover, Ahuja fails to teach or even suggest such steps. Ahuja discloses a notification system. Ahuja does not disclose that the system includes identifying conditions when the selected mode will be changed to escalate the notification to the user. Ahuja does teach that a user may change their preferences for notification, but Ahuja never even suggests, either in the paragraphs 10, 44, 51 or 54 (cited by the Examiner in office action) or anywhere else, that the a user can identify conditions when the mode of the notification will change in response to those conditions to escalate the notification, as is claimed in amended claim 1. Even if Arena and Ahuja are combined as suggested, one skilled in the

art would not obtain from those references the method claimed in amended claim 1, nor is there any teaching or suggestion present in any of those references that would even suggest such a method. Combining Arena and Ahuja provides a systems where a user is notified if value in a selected asset class exceeds a certain limit; they do not provide a system where the selected mode of notification is changed upon the occurrence of specified conditions to escalate the notification to the user. Accordingly, Applicants submit that claim 1, and the claims dependent therefrom are patentable over the cited art and request that the rejection be withdrawn and the claims allowed.

Similarly, claim 6 was amended to include the steps of determining a mode that is to be used to notify a user and determining at least one condition when the mode is to be changed to escalate the notification to the user. Claim 15 was amended to include the step of changing the periodicity of the notification when the notification indicates that the investment of the user in at least an individual one of the asset classes exceeds the investment limit of the assets in the asset class. Claim 21 was amended to recite the steps of periodically notifying the user the investments in each of the selected asset classes and the values of these investments in a notification mode selected by the user and escalating the notification to the user in accordance with at least one selected condition by changing the notification mode or periodicity of the notification to the user. As discussed with reference to amended claim 1 above, neither Arena or Ahuja, taken alone or in combination teach or even suggest such steps. Accordingly, Applicants respectfully submit that the rejections are overcome and request that they be withdrawn, and that claims 6, 15 and 21, and the claims dependent therefrom, be allowed.

## CONCLUSION

In light of the above amendments and remarks, Applicants believe this application is now in condition for allowance and respectfully request a timely Notice of Allowance be issued in this case.

Should the Examiner have any questions concerning the above amendments, Applicants request that the Examiner contact Applicants' attorney, John Fitzgerald, at 310-242-2667.

Applicants believe that there are no fees payable with this response, however, the Commissioner is authorized to charge any additional fees in this matter to our Deposit Account No. 06-2425.

Date: February 20, 2008

Respectfully submitted,

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